

REMARKS

Claims 1-38 are currently pending. By this Response, Applicants have amended claims 1, 5, 10, 13, 16, 29 and 35 and have canceled claims 24-28 and 31. Accordingly, claims 1-23, 29-30 and 32-38 are at issue.

The Examiner has rejected claims 1-7, 10-21, 29-32, 35-36 and 38 under 35 U.S.C. 103(a) as being unpatentable over Brown in view of Applicant Admitted Prior Art (AAPA). Applicants respectfully traverse this rejection.

Claim 1, as amended herein, is directed to a system having a Modbus device, a fieldbus coupler and a network node configured for allowing a Modbus device to access a table of a network node at a specified offset address. As explained with respect to the preferred embodiment of the invention:

The function code “43” allows a direct read and write by a Modbus device 12 into any CANOpen node’s OD 36, at any offset, within any index and sub-index, without regard to the previous history of commands between the devices. . . . The starting address offset and number of bytes defines the portion containing data being sought. **Efficiency in the communication bus traffic is increased because less bandwidth is utilized since an entire block of data does not need to be read/written.** (Emphasis added, Application, p. 9, first paragraph).

As further explained in the present application, “[t]he protocol is written so that requests can be made randomly into any part of any node’s OD.” (Application, p. 12) That is, the system of claim 1 provides a system with improved efficiency.

Brown does not disclose or suggest the system of claim 1. The Examiner has cited to column 9, lines 40-65 of Brown as disclosing the limitations of claim 5 which requires the protocol to include “a starting address” of the network node’s table as “the offset.” However, this portion of Brown does not disclose or otherwise discuss or elude to an offset address (or any

address) of a node's table. This portion of Brown does reference the "start delimiters" and "end delimiters" which appear in a message transmitted through the fieldbus coupler. However, as clearly set forth in the next column of Brown, these delimiters "identify the beginning and the end of a particular Fieldbus message" (Brown, col. 10, lines 5-9) and are not an identification of a starting address in a table located on the network node.

In light of the above, Applicants respectfully submit claim 1 is patentable over Brown in view of the AAPA. Claims 2-7 depend on claim 1 and include each of its limitations. Accordingly, Applicants respectfully submit claims 2-7 are also patentable over Brown in view of the AAPA.

Additionally, Applicants respectfully maintain the Examiner has improperly combined the AAPA with Brown. Prior to the present invention, there was no system that allowed Modbus devices to communicate effectively and/or control devices running on another protocol. Neither Brown nor the AAPA provide an incentive to combine a Modbus device with the system of Brown. Even if an incentive could be found, the cited references do not provide an enabling disclosure of such a combined system.

Independent claims 10, 16, 29 and 35 have also been amended to include the requirement to query or change a table of a network node at "a specified offset address in the table." Accordingly, for the reasons given above with respect to claim 1, Applicants respectfully submit claims 10, 16, 29 and 35 are also patentable over Brown in view of the AAPA.

Claims 11-15 depend on claim 10, either directly or indirectly, and include each of its limitations, claims 17-21 depend on claim 16, either directly or indirectly, and include each of its limitations, claims 30 and 32 (claim 31 has been canceled by this Response) depend on claim 29,

either directly or indirectly, and include each of its limitations, and claims 36 and 38 depend on claim 35, either directly or indirectly, and include each of its limitations. Accordingly, Applicants respectfully submit claims 11-15, 17-21, 30, 32, 35 and 38 are also patentable over Brown in view of the AAPA.

The Examiner has rejected claims 24-26 under 35 U.S.C. 102(e) as being anticipated by Dubé. Without conceding that Dubé anticipates claims 24-26, Applicants have canceled these claims from the present application and reserves the right to bring these claims in a continuation or divisional application. Accordingly, Applicants respectfully submit this rejection is now moot.

The Examiner has rejected claims 8-9, 22-23, 27-28, 33-34 and 37 under 35 U.S.C. 103(a) as being unpatentable over Brown in view of Stutz. Applicants respectfully traverse this rejection.

Claims 8-9 depend on claim 1 and include each of its limitations, claims 22-23 depend on claim 16 and include each of its limitations, claims 33-34 depend on claim 29 and include each of its limitations, and claim 37 depends on claim 36 and includes each of its limitations. As set forth above, Applicants respectfully submit claims 1, 16, 29 and 36 are patentable over Brown in view of AAPA. Stutz is only cited for disclosing a network controller that “handles CANopen related protocol” (Office Action of June 16, 2005, p. 9) and fails to otherwise cure the deficiencies of Brown and the AAPA noted above. Accordingly, Applicants respectfully submit claims 1, 16, 29 and 36 are patentable over Brown in view of Stutz, and therefore claims 8-9, 22-23, 33-34 and 37 are also patentable over Brown in view of Stutz.

CONCLUSION

In light of the foregoing Remarks, Applicants respectfully submit pending claims 1-23, 29-30 and 32-38 are in condition for allowance. Accordingly, Applicants respectfully request reconsideration and allowance of claims 1-23, 29-30 and 32-38. The Examiner is invited to contact the undersigned at the number below if there are any questions concerning this Response.

The Commissioner is authorized to debit or credit Deposit Account No. 23-0280 for any payment **deficiencies or overpayments** associated with this matter.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on August 31, 2005.

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